

XXXI. And whereas several Officers and other Proprietors of Debentures made forth by the late Paymaster of the Army, Commissioners for Transports, and by the Commissioners of Accounts in that behalf authorized respectively, have omitted to register the said Debentures within the Times limited by Acts of Parliament for that Purpose: For the Relief therefore of all such Officers and other Proprietors of the said unregistered Debentures, Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Officers and other Proprietors of the said unregistered Debentures, who have not registered the same, to register their Debentures on or before the nine and twentieth Day of *December* one thousand seven hundred and ten; which said Debentures being so registered, shall be and are hereby intitled to all the Benefit of Interest, and other Advantages, as if registered on or before the nine and twentieth Day of *September* one thousand seven hundred and nine.

Unregistered Debentures may be registered before 29 Dec. 1710.

## C A P. XIV.

An Act for the better Security of Rents, and to prevent Frauds committed by Tenants.

FOR the more easy and effectual Recovery of Rents reserved on Leases for Life or Lives, Term of Years, at will or otherwise; Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* which shall be in the Year of our Lord one thousand seven hundred and ten, no Goods or Chattels whatsoever, lying or being in or upon any Messuage, Lands or Tenements, which are or shall be leased for Life or Lives, Term of Years, at Will or otherwise, shall be liable to be taken by Virtue of any Execution on any Pretence whatsoever, unless the Party at whose Suit the said Execution is sued out, shall before the Removal of such Goods from off the said Premises, by Virtue of such Execution or Extent, pay to the Landlord of the said Premises or his Bailiff, all such Sum or Sums of Money as are or shall be due for Rent for the said Premises at the Time of the taking such Goods or Chattels by Virtue of such Execution; Provided the said Arrears of Rent do not amount to more than one Year's Rent; and in case the said Arrears shall exceed one Year's Rent, then the said Party, at whose Suit such Execution is sued out, paying the said Landlord or his Bailiff, one Year's Rent, may proceed to execute his Judgment, as he might have done before the making of this Act; and the Sheriff or other Officer is hereby impowered and required to levy and pay to the Plaintiff as well the Money so paid for Rent, as the Execution Money.

After the first of May 1710 no Goods, &c. shall be taken in Execution, &c. unless the Party before Removal of the Goods, &c. pay the Landlord the Rent due.

52 H. 3. c. 4.  
13 Ed. 1. c. 37.  
1 & 2 P. & M. c. 12.

2 W. & M. stat. 1. c. 5.

Provided it amount to no more than 1 Year's Rent.

II. And be it further enacted by the Authority aforesaid, That in case any Lessee for Life or Lives, Term of Years, at Will or otherwise, of any Messuages, Lands, or Tenements, upon the Demise whereof any Rents are or shall be reserved or made payable, shall, from and after the said first Day of *May*, fraudulently or clandestinely convey or carry off or from such demised Premises his Goods or Chattels, with Intent to prevent the Landlord or Lessor, from distraining the same for Arrears of such Rent so reserved as aforesaid, it shall and may be lawful to and for such Lessor or Landlord, or any Person or Persons by him for that Purpose lawfully impowered, within the Space of five Days next ensuing such conveying away or carrying off such Goods or Chattels as aforesaid, to take and seize such Goods and Chattels wherever the same shall be found as a Distress for the said Arrears of such Rent; and the same to sell or otherwise dispose of, in such Manner, as if the said Goods and Chattels had actually been distrained by such Lessor or Landlord, in and upon such demised Premises for such Arrears of Rent; any Law, Custom, or Usage to the contrary in any wise notwithstanding.

The Sheriff, &c. to levy the Rent as well as the Execution Money. If any Lessee, &c. shall fraudulently carry off Goods, &c. the Lessor, &c. may within 5 Days after seize such Goods, &c. and sell the same as if they had been distrained.

III. Provided nevertheless, That nothing in this Act contained shall extend, or be construed to extend, to impower such Lessor or Landlord to take or seize any Goods or Chattels as a Distress for Arrears of Rent, which shall be sold *bona fide*, and for a valuable Consideration, before such Seizure made; any thing herein contained to the contrary notwithstanding.

Provido, such Lessor, &c. shall not seize any Goods, &c. which shall be

bona fide sold before. 11 Geo. 2. c. 19.

IV. And whereas no Action of Debt lies against a Tenant for Life or Lives, for any Arrears of Rent, during the Continuance of such Estate for Life or Lives; Be it enacted by the Authority aforesaid, That from and after the said first Day of *May* it shall and may be lawful for any Person or Persons, having any Rent in Arrear or due upon any Lease or Demise for Life or Lives, to bring an Action or Actions of Debt for such Arrears of Rent, in the same Manner as they might have done, in case such Rent were due and reserved upon a Lease for Years.

Debt may be brought against Tenant for Life for Rent.

V. And it is hereby further enacted and declared by the Authority aforesaid, That all Distresses hereby impowered to be made as aforesaid, shall be liable to such Sales, and in such Manner, and the Monies arising by such Sales to be distributed in like Manner, as by an Act made in the second Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for enabling the Sale of Goods distrained for Rent, in case the Rent be not paid in reasonable Time*, is in that Behalf directed and appointed.

Distresses liable to such Sales, and to be distributed, as by the Act 2 W. & M. ff. 1. c. 5.

VI. And whereas Tenants *pur auter vie*, and Lessees for Years or at Will, frequently hold over the Tenements to them demised, after the Determination of such Leases: And whereas after the Determination of such, or any other Leases, no Distress can by Law be made for any Arrears of Rent that grew due on such respective Leases before the Determination thereof; It is hereby further enacted by the Authority aforesaid, That from and after the said first Day of *May* one thousand seven hundred and ten, it shall and may be lawful, for any Person or Persons, having any Rent in Arrear or due upon any Lease for Life or Lives, or for Years, or at Will, ended or determined, to distrain for such Arrears, after the

Rent in Arrear upon a Lease for Life, &c. expired, may be distrained for after the Determination of the Lease.



Determination of the said respective Leases, in the same Manner as they might have done, if such Lease or Leases had not been ended or determined.

Distress to be within six Months after the End of the Lease, and during the Landlord's Title and Tenant's Possession.

VII. Provided, That such Distress be made within the Space of six Kalendar Months after the Determination of such Lease, and during the Continuance of such Landlord's Title or Interest, and during the Possession of the Tenant from whom such Arrears became due.

This Act shall not hinder the Queen, &c. to levy, &c. any Debts, Fines, &c. due to the Crown. See 4 Geo. 2. c. 28. and 11 Geo. 2. c. 19. containing farther Provisions concerning Distresses.

VIII. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to let, hinder or prejudice her Majesty, her Heirs or Successors, in the levying, recovering or seizing any Debts, Fines, Penalties or Forfeitures, that are or shall be due, payable or answerable to her Majesty, her Heirs or Successors; but that it shall and may be lawful for her Majesty, her Heirs and Successors, to levy, recover, and seize such Debts, Fines, Penalties and Forfeitures, in the same Manner as if this Act had never been made; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

### C A P. XV.

An Act for explaining and enlarging an Act of the sixth Year of her Majesty's Reign, intituled, *An Act for the Security of her Majesty's Person and Government.*

6 Annæ, c. 14.

WHEREAS by an Act made in the sixth Year of her present Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government*, it is amongst other Things enacted, That all Officers, Civil and Military, in that Part of the Kingdom of *Great Britain* called *Scotland*, who were obliged and required to take in *Scotland* an Oath, called the Oath of Allegiance and Assurance, before the Privy Council there, should be obliged, on or before the twentieth Day of *April* one thousand seven hundred and eight, to take and subscribe the Oath by the said Act appointed, before the Privy Council while it should continue, and after the Determination thereof before and in the Court of Session, or the Court of Justiciary, or the Court of Exchequer there; and that all others then in any of the Affairs aforesaid, who in Respect thereof had used and been obliged to take the said Oath of Allegiance and Assurance in any other Court and Place, should be obliged to take and subscribe the same at the next Quarter-Sessions of the Peace that should be held for any County or Place in which any such Officer should be resident or abiding; and that all and every Person or Persons whatsoever, who should after be admitted into any Office, Civil or Military, within that Part of *Great Britain* called *Scotland*, should, within three Months after his Admittance into any such Office, be obliged to take the Oath appointed by the said Acts in the respective Courts above mentioned, according to the Distinction therein and above mentioned, for Persons then in Office: And whereas several Persons bearing such Offices, and who were likewise Members of Parliament, or otherwise necessarily absent, were at the Time of making the said Act, detained in *England*, by their Service in Parliament, and upon other publick and important Occasions, so that they were rendered incapable of repairing to the Courts aforesaid, within the Time in the said Act directed: And whereas it may happen, that Persons provided to Offices in *Scotland*, may, for attending the publick Service, or for other important Causes, be detained in *England*, and thereby cannot take the Oaths in *Scotland*, within the Time required by the Laws: For Remedy whereof, Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by Authority of the same, That if any Person or Persons that have been or are in any Office, Civil or Military in *Scotland* aforesaid, shall, on or before the eight and twentieth Day of *June* one thousand seven hundred and ten, take and subscribe the Oath of Abjuration in the aforesaid Act mentioned, and shall also take and subscribe the Oath of Allegiance, and subscribe the Assurance in the Words following, *viz.*

Any Officer, either Civil or Military, in *Scotland*, may before 28 June 1710, take and subscribe the Oath of Abjuration, &c. and likewise subscribe the Assurance.

I *A. B.* do sincerely promise and swear, That I will be faithful, and bear true Allegiance to her Majesty  
QUEEN ANNE.

*So help me God*

I *A. B.* do in the Sincerity of my Heart, assert, acknowledge, and declare, That her Majesty Queen ANNE is the only lawful undoubted Sovereign of this Realm, as well *de Jure*, that is, of Right Queen, as *de Facto*, that is, in the Possession and Exercise of the Government: And therefore I do sincerely and faithfully promise and engage, That I will, with Heart and Hand, Life and Goods, maintain and defend her Majesty's Title and Government, against the pretended Prince of *Wales*, and his Adherents, and all other Enemies, who either by open or secret Attempts, shall disturb or disquiet her Majesty in the Possession and Exercise thereof.

In any of the Courts of Westminster.

And that either in her Majesty's Courts of *Chancery*, *Queen's Bench*, *Common Pleas* or *Exchequer* at *Westminster*; the same shall be, to all Intents, Constructions, and Purposes, as effectual as if such Person or Persons had taken the Oaths by the said Act appointed, within the Time, and at the Places therein mentioned.

II. And